

## **NOTICE OF PUBLIC MEETING**

Notice Posted on Wednesday, March 17, 2010 at the Natchitoches Arts Center located at 716 Second Street, Natchitoches, Louisiana at 3:05 and at City Hall located 700 Second Street, Natchitoches, Louisiana at 3:30 p.m. on Wednesday, March 17, 2010.

A public meeting/hearing will be held on APRIL 26, 2010 at 4:00 for the purposes of:

Adopt the Budget for the Fiscal Year June 1, 2010 through May 31, 2011 and any and all other business that may properly come forth

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### **NATCHITOCHES CITY COUNCIL MEETING APRIL 26, 2010 - 7:00 P.M. A G E N D A**

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1. **CALL TO ORDER**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **READING AND APPROVAL OF THE MINUTES OF APRIL 12, 2010**
5. **SPECIAL RECOGNITION from the National League of Cities to Sylvia Morrow**
6. **PROCLAMATION:**
  - #033 Payne** Child Abuse Prevention Month (Cheree Moffett and Demaruis Payne)
7. **BIDS – OPEN:**
  - #020 Mims** Ordinance Authorizing the Mayor to Open Bids for the Ben Johnson Park, Phase II, Concession Building and Park Equipment (Bid #0491)  
Committee: Pat Jones; Edd Lee; Sylvia Morrow; Frank Griffin; Norman Nassif, Engineer
  - #021 McCain** Ordinance Authorizing the Mayor to Open Bids for the Purchase of Liquid Chlorine for the Water Treatment Plant (Bid #0498)  
Committee: Pat Jones, Edd Lee, Sylvia Morrow, Bryan Wimberly
  - #022 Mims** Ordinance Authorizing the Mayor to Open Bids for the Purchase of Bulk Hydrated Lime for the Water Treatment Plant (Bid #0499)  
Committee: Pat Jones, Edd Lee, Sylvia Morrow, Bryan Wimberly
8. **PLANNING AND ZONING – FINAL:**
  - #018 Nielsen** Ordinance Amending Ordinance No. 64 Of 2001 By Changing Zoning Classification Of Property Described As Follows:  
  
Lot East Side Of Jefferson Street, North By Deblieux, East By Cane River Lake, South By Jordan (417 Jefferson Street – Gary & Susan Howell)
  - #019 Nielsen** Ordinance Amending Ordinance No. 64 Of 2001 By Changing Zoning Classification Of Property Described As Follows:  
  
Lot 150 Feet Front East Side Highway 1 South Being A Portion Of Lots 7 & 8 Of East Broadmoor Subdivision #2 & The East 39.4 Feet Of Lot 8 & East 39 Ft. Of S ½ Of Lot 7 Unit 2 Of East Broadmoor Subdivision, Less 848.9 Sq. Ft. To Highway Department (115 South Drive-The Frosty, LLC)
9. **ORDINANCES – INTRODUCTION:**
  - #023 Mims** Ordinance Declaring Certain Buildings Unsafe And Recommending That Same Be Demolished Or Put Into Repair To Comply With The Building Code, Authorizing Notice To Be Served, Fixing Hearing Date And Appointing Curator To Represent Absentees

10. **ORDINANCES – FINAL:**  
**#017 Payne** Ordinance Adopting the Budget for the City of Natchitoches for the Fiscal Year June 1, 2010 through May 31, 2011
11. **REPORTS:** Pat Jones – Financial Report
12. **RESOLUTIONS:**  
**#030 McCain** Resolution to Limit or Extend Limits of Debate at City Council Meetings  
  
**#031 Morrow** Resolution Authorizing the Mayor to Execute Change Order No. 1 to the Bid for Improvements to the Ben Johnson Park, Phase II, Basketball Courts (Bid No. 0490)  
  
**#032 Morrow** Resolution Authorizing the Execution of the Certificate of Substantial Completion for the Improvements to the Ben Johnson Park, Phase II, Basketball Courts (Bid No. 0490)  
  
**#034 Nielsen** Resolution Authorizing The Mayor Of The City Of Natchitoches, Wayne McCullen, To Solicit Requests For Proposals For The Sale Of Generation Equipment Located At The City Of Natchitoches Power Plant, And Further To Negotiate With The Successful Respondent For The Sale Of The Generation Equipment, And Declaring The Property As Surplus Property
13. **OTHER BUSINESS:**
14. **NOTICE:** City of Natchitoches offices will be closed May 31, 2010 for the Memorial Day Holiday
15. **ADJOURNMENT**

**NOTICE TO THE PUBLIC**

In accordance with the Americans with Disabilities Act, if you need special assistance, please contact the City Clerk's Office at (318) 352-2772 describing the assistance that is necessary.

If you wish to address the Council, please complete the "[Request to Address City Council](#)" form located on the entrance table.

**PROCEEDINGS OF THE CITY COUNCIL  
OF THE CITY OF NATCHITOCHES, STATE OF LOUISIANA,  
REGULAR MEETING HELD ON  
MONDAY, APRIL 26, 2010, AT SEVEN O'CLOCK, (7:00) P.M.**

The City Council of the City of Natchitoches met in legal and regular session at the Natchitoches Arts Center, 716 Second Street, Natchitoches, Louisiana, on Monday, April 26, 2010, at 7:00 p.m.

There were present: Councilmen; Jack McCain, Larry Payne, Dale Nielsen and Councilwoman Sylvia Morrow

Absent: Councilman at Large, Don Mims, Jr.

The Mayor welcomed those in attendance and also the radio audience.

The Mayor asked everyone to rise for the Invocation given by Mr. Michael Braxton, Director of Public Works, followed by the Pledge of Allegiance lead by Mr. McCain.

The Mayor then called for the reading of the Minutes. Mr. McCain made a motion to dispense with the Reading of the Minutes, and Mr. Payne seconded the motion. The roll call vote was as follows:

AYES:	McCain, Morrow, Payne, Nielsen
NAYS:	None
ABSENT:	Mims

The Mayor declared the Motion as PASSED.

Mr. Payne then presented Councilwoman Morrow with a plaque from the National League of Cities Leadership Training Institute recognizing her dedication and commitment and for her successful completion of the bronze certificate leadership fellows, and the certificate of achievement in leadership program.

The Meeting continued with Proclamations, as follows:

The following Resolution was Introduced by Mr. Payne and Seconded by Mr. Nielsen as follows, to-wit:

**RESOLUTION NO. 033 OF 2010**

**PROCLAMATION**

**WHEREAS, National Child Abuse Prevention Month** is an annual opportunity to raise awareness about issues surrounding child abuse and neglect and engage community members in the ongoing effort to keep children safe; and

**WHEREAS, CASA** is one of a group of National Child Abuse Prevention Partner Organizations, selected by the Children's Bureau to serve as partners in the national child abuse prevention initiative; and

**WHEREAS, the work of CASA and volunteers** is crucial to preventing child abuse and ensuring that children live in safe and permanent environments where they can thrive; and

**WHEREAS, studies have indicated** that children with a CASA volunteer are less likely to languish in long-term foster care, more likely to receive needed services and less likely to re-enter the foster care system; and

**WHEREAS, child abuse prevention** requires partnerships among federal, state, and local governments, faith-based and community-based organizations, schools, law enforcement, social service agencies, parents; and

**WHEREAS, during National Child Abuse Prevention Month, and throughout the year, I encourage all citizens of Natchitoches to find ways to cherish our children, strengthen our families, work together to eliminate child abuse and neglect, and strive toward a shared dream in which every child is safe and happy.**

**NOW, THEREFORE, I, Wayne McCullen, Mayor, and the Natchitoches City Council, do hereby proclaim April 2010 as:**

**CHILD ABUSE PREVENTION MONTH**

in Natchitoches, and call upon all citizens to increase their participation in our efforts to prevent child abuse, which in turn will strengthen our community in which we live.

This Resolution was then presented for a vote, and the vote was recorded as follows:

<b>AYES:</b>	Payne, Nielsen, McCain, Morrow
<b>NAYS:</b>	None
<b>ABSENT:</b>	Mims
<b>ABSTAIN:</b>	None

**THEREUPON, the Mayor, Wayne McCullen, declared the Resolution passed by a vote of 4 ayes to 0 nays, this the 26<sup>th</sup> day of April, 2010.**

  
MAYOR WAYNE McCULLEN

The meeting continued with Bids, as follows:

Mr. McCain made a motion that bids be opened and the Mayor Authorized to Award the Bid for the Ben Johnson Park, Phase II, Concession Building and Park Equipment, being Ordinance 20. The motion was seconded by Mr. Payne.

This motion was then presented for a vote, and the vote was recorded as follows:

AYES:	McCain, Payne, Nielsen, Morrow
NAYS:	None
ABSENT:	Mims

The Mayor declared the motion as PASSED.

**ORDINANCE NO. 020 OF 2010**

**ORDINANCE AUTHORIZING THE MAYOR TO OPEN  
BIDS FOR THE BEN JOHNSON PARK – PHASE II,  
CONCESSION BUILDING AND PARK EQUIPMENT**

**(BID #0491)**



Mr. McCain and Mr. Norman Nassif, Engineer, opened the bids for the Ben Johnson Park, Phase II, Concession Building and Park Equipment, bid 0491, as follows:

- |    |                                                   |               |
|----|---------------------------------------------------|---------------|
| 1) | Pat Williams Construction<br>Leesville, Louisiana | \$ 226,150.00 |
| 2) | RDS Construction<br>Natchitoches, Louisiana       | \$ 237,700.00 |

A committee was appointed to evaluate the bids and report back at the next Council meeting consisting of:

Mr. Norman Nassif, Engineer  
Mr. Pat Jones, Director of Finance  
Mr. Frank Griffin, Director of Recreation  
Mr. Edd Lee, Director of Purchasing  
Councilwoman Sylvia Morrow

Mr. Mims joined the meeting at 7:15 p.m.

Bids continued, as follows:

Mr. McCain made a motion that bids be opened and the Mayor Authorized to Award the Bid for the Purchase of Liquid Chlorine for the Water Treatment Plant, being Ordinance 21. The motion was seconded by Ms. Morrow.

This motion was then presented for a vote, and the vote was recorded as follows:

AYES:	McCain, Morrow, Payne, Nielsen, Mims
NAYS:	None
ABSENT:	None

The Mayor declared the motion as PASSED.

**ORDINANCE NO. 021 OF 2010**

**ORDINANCE AUTHORIZING THE MAYOR TO OPEN  
BIDS FOR THE PURCHASE OF LIQUID CHLORINE  
FOR THE WATER TREATMENT PLANT**

**(BID #0498)**

Mr. Mims and Mr. McCain opened the bids for the Purchase of Liquid Chlorine for the Water Treatment Plant, bid 0498, as follows:

- 1) DPC Enterprises  
Reserve, Louisiana (75 tons, approx.) \$ 569.00 per ton
- 2) ALTIVIA Corporation  
Houston, Texas (75 tons, approx.) \$ 490.00 per ton
- 3) HARCROS Chemicals  
Shreveport, Louisiana \$ no bid

A committee was appointed to evaluate the bids and report back at the next Council meeting consisting of:

Mr. Pat Jones, Director of Finance  
Mr. Bryan Wimberly, Director of Utilities  
Mr. Edd Lee, Director of Purchasing  
Councilwoman Sylvia Morrow

Bids continued, as follows:

Mr. Mims made a motion that bids be opened and the Mayor Authorized to Award the Bid for the Purchase of Bulk Hydrated Lime for the Water Treatment Plant, being Ordinance 22. The motion was seconded by Mr. Payne.

This motion was then presented for a vote, and the vote was recorded as follows:

AYES:	Mims, Payne, Nielsen, McCain, Morrow
NAYS:	None
ABSENT:	None

The Mayor declared the motion as PASSED.

**ORDINANCE NO. 022 OF 2010**

**ORDINANCE AUTHORIZING THE MAYOR TO OPEN  
BIDS FOR THE PURCHASE OF BULK HYDRATED LIME  
FOR THE WATER TREATMENT PLANT**

**(BID #0499)**

Mr. Mims and Mr. McCain opened the bids for the Purchase of Bulk Hydrated Lime for the Water Treatment Plant, bid 0499, as follows:

- 1) Falco Lime  
Vicksburg, Mississippi (125 tons, approx.) \$ 154.23 per ton
- 2) Texas Lime Company  
Dallas, Texas (125 tons, approx.) \$ 149.55 per ton
- 3) HARCROS Chemicals  
Shreveport, Louisiana \$ no bid
- 4) Carmeuse Lime & Stone  
Pittsburg, Pennsylvania \$ no bid

A committee was appointed to evaluate the bids and report back at the next Council meeting consisting of:

Mr. Pat Jones, Director of Finance  
Mr. Bryan Wimberly, Director of Utilities  
Mr. Edd Lee, Director of Purchasing  
Councilwoman Sylvia Morrow

The meeting continued with Planning and Zoning, as follows:



The following Ordinance was Introduced by Mr. Nielsen and Seconded by Mr. McCain as follows, to-wit:

**ORDINANCE NO. 018 OF 2010**

**AN ORDINANCE AMENDING ORDINANCE NO. 64 OF 2001 BY CHANGING ZONING CLASSIFICATION OF PROPERTY DESCRIBED AS FOLLOWS:**

**LOT EAST SIDE OF JEFFERSON STREET, NORTH BY DeBLIEUX,  
EAST BY CANE RIVER LAKE, SOUTH BY JORDAN**

**(417 JEFFERSON STREET)**

**WHEREAS**, the Planning Commission of the City of Natchitoches, State of Louisiana, has recommended at their meeting of Friday, April 9, 2010 that the request of Gary and Susan Howell to rezone the property described above from **R-1** to **R-2** to use an accessory structure as a single-family dwelling (417 Jefferson Street), be **APPROVED**.

The above Ordinance having been duly advertised in accordance with law and a public hearing had on same, was put to a vote by the Mayor and the vote was recorded as follows:

<b>AYES:</b>	<b>Nielsen, McCain, Morrow, Payne</b>
<b>NAYS:</b>	<b>Mims</b>
<b>ABSENT:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>

**THEREUPON**, the Mayor declared the Ordinance **PASSED** this 26<sup>th</sup> day of April, 2010 by a vote of 4 ayes to 1 nay.

  
WAYNE McCULLEN, MAYOR

  
DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 27<sup>th</sup> day of April, 2010 at 10:00 A.M.

Ms. Juanita Fowler, Director of Planning and Zoning, advised that the Planning Commission did favorably approve the application, but as Planning Director, she did make it clear to them that because the Planning Commission had gone through several public hearings to downzone properties that we would set a precedence in going back the other way. She noted that this property is an R-1 property, with one main structure, and happens to have an accessory building that is not built out. She stated that the current owner acquired the property without the knowledge that it had been downsized, but it was included in that zoning that the Council approved in 2005.

Mr. McCain asked Ms. Fowler if a previous owner opts to downzone, is there any obligation on the part of the new buyer to abide by that. Ms. Fowler advised that, yes, from the perspective of zoning, because it was a Council decision, after several public hearings, and involved all of the residents who owned property at the time. She did note that the current applicant was not involved with that, and apparently no word was given to her that this property was involved in the downzoning.

Mr. John Bernard, Collins & Stamey, advised that it may have been an oversight by them, because they would have alerted her to that, had they known, and said he hopes the Council will not hold Mrs. Howell responsible for something they probably should have known about and checked on, but they just did not know.

Mr. Mims said he had spoken with Ms. Howell regarding the zoning, and he has no problem with the property being zoned for a bed and breakfast, but feels the concern is to zone it for multi-family. He noted that if the property is sold, even though their intentions are to maintain it as a bed and breakfast, the property could be used as a multi-family dwelling, which was not the intent of the downzoning. He also noted that, as Ms. Fowler said, when you do for one, you have to do it for all, because if you set a precedent, it changes the law.

Ms. Morrow noted that Planning and Zoning did approve this, and normally, the Council goes along with it when they approve it. Ms. Morrow asked Ms. Fowler if this property was in the Historic District, and Ms. Fowler confirmed that it was.

Mr. McCain said when he looks at a situation like this, he looks at the pluses and the minuses, and in this venture, with Ms. Howell acquiring this property, renovating it, cleaning up the riverbank and making the area look much better, being in a transitional zone, adjacent to the doctor's office, he sees way more pluses than he sees minuses, and he would have to support the application for rezoning.

Mr. Terry Sklar addressed the meeting, saying he is a property owner across the street from the property in question, and the Howells have done a

marvelous job of cleaning things up and trying to get the neighborhood back, and he wants to speak in support of them. He noted that there are some people operating B&Bs in their back yard and garages now that it's not going to be a great variance from what we have going on. He said it is just going to improve the neighborhood.

The Mayor said that it is a great improvement and they have done a great job with the house.

Planning and Zoning continued, as follows:

The following Ordinance was Introduced by Mr. Nielsen and Seconded by Mr. Mims as follows, to-wit:

**ORDINANCE NO. 019 OF 2010**

**AN ORDINANCE AMENDING ORDINANCE NO. 64 OF 2001 BY CHANGING ZONING CLASSIFICATION OF PROPERTY DESCRIBED AS FOLLOWS:**

**LOT 150 FEET FRONT EAST SIDE HIGHWAY 1 SOUTH BEING A PORTION OF LOTS 7 & 8 OF EAST BROADMOOR SUBDIVISION #2 & THE EAST 39.4 FEET OF LOT 8 & EAST 39 FT. OF S ½ OF LOT 7, UNIT 2, OF EAST BROADMOOR SUBDIVISION, LESS 848.9 SQ. FT. TO HIGHWAY DEPARTMENT  
(115 SOUTH DRIVE)**

**WHEREAS**, the Planning Commission of the City of Natchitoches, State of Louisiana, has recommended at their meeting of Friday, April 9, 2010 that the request of The Frosty, LLC, c/o Dwane T. Arnold, to rezone the property described above from **B-3** to **AN ADDITIONAL B-A ZONING** to sell mixed drinks (115 South Drive), be **APPROVED**.

The above Ordinance having been duly advertised in accordance with law and a public hearing had on same, was put to a vote by the Mayor and the vote was recorded as follows:

**AYES:           None**  
**NAYS:           Nielsen, Mims, McCain, Morrow, Payne**  
**ABSENT:       None**  
**ABSTAIN:      None**

**THEREUPON**, the Mayor declared the Ordinance **FAILED** this 26<sup>th</sup> day of April, 2010 by a vote of 0 ayes to 5 nays.

  
WAYNE McCULLEN, MAYOR

  
DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 27<sup>th</sup> day of April, 2010 at 10:00 A.M.

Ms. Billie Edwards voiced objections to mixed drinks being sold at The Frosty on South driving, stating that it is a narrow street, with heavy traffic, and she is concerned that people who have been drinking would be driving in an area where many people travel at night to and from nearby homes, stores, or the three churches located in the area. She said she doesn't want to see this area turned into a bar district because it might make it undesirable for ordinary businesses. She stated that she understands that Maggio's has a permit to do this, but Maggio's was here before the law was changed, and the law was changed for a very good reason, and the location of Maggio's is sort of set apart from where her building and these churches and homes are located. She closed by asking the Council not to approve this.

Mr. Dwane Arnold, owner of the Frosty addressed the meeting. He said the Zoning and Planning Commission have approved them, and they are very grateful for that. He noted that there is another ordinance that came up that was similar with theirs where James Murphy rezoned from B-3 to a B-A, which is the same thing they are asking for, and it was approved in January 2006. He said, hopefully, they can acquire the same thing he did, and they are just asking for justice for all.

Mr. Jim Bob Key, owner of a furniture store located at 118 South Drive then addressed the Council, voicing concerns about this being a two-lane street, and with this being a center lot, trying to get in and out can be a problem. He noted that sometimes the traffic is backed up beyond the store, trying to get through to the Cane River Bridge. He said he has no objection to a liquor store, but he just doesn't think it needs to be located at that position.

Mr. Ron Smith, owner of Bienville Square, directly opposite of the location requesting rezoning said he voiced his objections two years ago, and they still stand. He said he knows drinking is going on, and he can't do anything about it, but his property is there, and it hurts his property, and takes his time and effort to clean it up and deal with the alcoholics that come in there.

Ms. Joan Edwards then addressed the Council, saying she is a resident of Natchitoches Parish, as was her son who was killed in February 1998 in an alcohol-related incident on "The Strip". She said she does not want that to happen to anybody else, and those who have a vested interest in the community want to stand against such as this.

Mr. McCain noted that a number of years ago when they were having difficulty around town with bars and lounges sometime being in residential areas and sometimes semi-residential/commercial areas, they made an unwritten commitment that they would like to try to confine those type places to the bypass, and places away from busy commercial endeavors and residential areas. He said he still holds true to that. He stated that Mr. Arnold is a fine man, and

is welcomed to the Natchitoches business community, but he just does not see any good positives to him having liquor by the drink, and he will have to oppose it.

Mr. Nielsen said he's done a lot of soul-searching, and researching, and he thinks what Mr. Arnold is wanting to do is sell capped, mixed drinks out the window. He said, unfortunately, if you allow a Class A permit, that would allow him to push forward into an on-premise consumption in the building, and he concurs with Councilman McCain that in that district, it really needs to be a food-based percentage or something like that to have a bar. He said all the calls he has gotten have been to oppose it, and he will have to do likewise.

The meeting continued with Ordinances, as follows:



The following Ordinance was Introduced by Mr. Mims as follows:

**ORDINANCE NO. 023 OF 2010**

**AN ORDINANCE DECLARING CERTAIN BUILDINGS UNSAFE  
AND RECOMMENDING THAT SAME BE DEMOLISHED OR PUT  
INTO REPAIR TO COMPLY WITH THE BUILDING CODE,  
AUTHORIZING NOTICE TO BE SERVED, FIXING HEARING DATE  
AND APPOINTING CURATOR TO REPRESENT ABSENTEES**

**WHEREAS**, the City Building Inspector and the Director of Planning & Zoning have filed written reports with the City Council declaring that the buildings listed below are in a dangerous and unsanitary condition which makes them unsafe and endangering the public welfare, and recommending that said buildings be demolished or put in repair to comply with the Building Code, to-wit:

1. **Robert E. Jackson**  
1040 Sixth St.  
Natchitoches, LA 71457

**Lot North Side of Sarah St., 57 x 60 Ft., S by Street, W by Hardison, N & E By      Salim**  
**(1224 Sara St.)**

2. **Robert E. Jackson**  
1040 Sixth St.  
Natchitoches, LA 71457

**Lot A of Lincoln Add. On North Side of Sarah Street (1222 Sara St.)**

3. **Robert E. Jackson**  
1040 Sixth St.  
Natchitoches, LA 71457

**Lot A of Lincoln Add. On North Side of Sarah Street (1441 Georgia Ann St.)**

4. **Alvin L. & Leola N Sompayrac**  
807 Salim Street  
Natchitoches, LA 71457

**South 1/3 of Lots 4, 5, 6 & 7 Block 12 Bailey Heights Annex, Having Front on      Salim**  
**St. of 54 Feet (807 Salim St.)**

5. **Myrna C. Shaeffer**  
630 Royal St.  
Natchitoches, LA 71457

**Lot 101 of Plantation Park Subd., Unit 3 (630 Royal St.)**

6. **Earnest Mitchell**  
1312 Breda Ave.  
Natchitoches, LA 71457

**Lot 3 Blk B Breda Add. (1312 Breda Ave.)**

7. **Lillie Davenport**  
232 East 90<sup>th</sup> St.  
Los Angeles, CA 90003

**Lot 4 Block A of Breda Addition (1213 Phillips St.)**

Ms. Myra Celeste Shaeffer addressed the meeting regarding property at 630 Royal Street. She said she had started hiring a crew to fix her house on Royal Street when she got her letter, and would like to proceed to do so. She advised that it would take her about 30 days to get the yard and property into shape and she has consulted Ms. Fowler. Ms. Fowler said she has spoken with Ms. Shaeffer regarding the condition of the property, noting that the house burned years ago, but she is now ready to make improvements. She did advise, however, that it's been quite a long time, so they were forced to put this on the condemnation report. She said the ordinance does allow that if, so warranted, the property can be rehabilitated, and the owner should be allowed to do so, but she wanted to run it through the Council and set a time frame for completion of the work so it would be documented. Mr. Nielsen advised that he has spoken with Ms. Shaeffer, and she has had some bad luck, but he told her that she needed to come up here because it's gotten this far. He said that there has been some positive improvement on the property and he didn't mind doing the 30 days if Ms. Fowler is comfortable with it. Ms. Fowler advised that the 30-day period to allow her to renovate would occur after the condemnation ordinance is adopted, noting that the final voting comes up 30 days from tonight. The Mayor confirmed that she has 30 days automatically to show improvement and that she is moving the process forward. Ms. Shaeffer was advised that she needs to start now to show that she is moving forward in rehabilitating the property because there is 30 days until final vote, and Ms. Fowler will be evaluating and let the Council know if she is moving forward. Ms. Shaeffer said that was fine with her.

Ms. June Durr, who lives at the corner of Isadore and Royal, next door to the property in question, advised that there's lots of stuff in the back that needs to be cleaned out. She said there is a row of wood fences, and there's stuff piled up against the fences, and a big pile of leaves. She noted that they have been very patient over the years. Ms. Fowler confirmed that the Durrs have been patient, and she has communicated with Ms. Shaeffer many times, so she really wants to push for the work to be done immediately.

Ms. Lucy Lindsey, addressed the Council, advising that she and Annie Hardison are property owners bordering Mr. Jackson's property on Georgia Ann Street. She said she grew up in that neighborhood and those three buildings that Mr. Jackson owns on Sara Street have been in deplorable condition for many, many years. She said she has spoken with Ms. Fowler on several occasions regarding the condition of the homes, and she understands that Ms. Fowler, as well as the building inspector, have been out, and she and Ms. Hardison want to know what they found. She noted that the homes are beyond repair. She said she and Ms. Hardison have run out of patience, and they are here to request the City's help in getting this moved forward. The Mayor said that is why they are currently on the list. He said the City is serious about those properties, and Mr. Jackson has 30 days to do something substantially, or they will be demolished. Ms. Fowler said she does recommend that two of them be torn down, but they are going through the formal process to be able to get to

that point. Ms. Lindsey asked when she and Ms. Hardison can expect some corrective action to be taken. Ms. Fowler said if he was to appear at the next Council meeting, when final voting occurs, he would have 30 days from that time to do something with the property. She said if he alleges that he wants to repair, the Council will have to state whether they will allow him to repair. Ms. Fowler said there are adequate pictures to define exactly how bad the structures are, and she does not think the Council will approve any rehabilitation unless he's going to do something miraculous. Mr. Payne said he has looked at the houses, himself, and he does not think there is any way those houses will ever be lived in again, and does not think the repairs that need to be made can be made in 30 days. He said he thinks it's time to move forward. Ms. Lindsey said she and Ms. Hardison want to know that the City is going to help them move these houses to the next step which would be demolition. Mr. Payne said he thinks all of the Council members have seen the pictures and see the condition of the houses, but it's just the time process that they have to go through, and once that's over, they will move forward on these houses. Ms. Fowler advised that if Mr. Jackson appears at the next meeting and asks for the properties to be rehabilitated, then it would be up to the Council to say whether they would allow him to do that. She said, judging from the pictures, it will be quite hard for him to do so, but he would have the right to approach the Council.

Ordinances continued, as follows:

The following Ordinance was Introduced by Mr. Payne and Seconded by Mr. McCain as follows, to-wit:

**ORDINANCE NO. 017 OF 2010**

**AN ORDINANCE ADOPTING THE BUDGET FOR THE  
CITY OF NATCHITOCHES FOR THE FISCAL YEAR  
JUNE 1, 2010 THROUGH MAY 31, 2011**

**WHEREAS**, the fiscal year of the City of Natchitoches is from June 1 through May 31 of each year; and

**WHEREAS**, a budget has been prepared by the Finance Director, Mr. Patrick Jones, and has been submitted by the Mayor, Wayne McCullen, to the City Council for review and consideration.

**NOW, THEREFORE**, be it ordained that the Natchitoches City Council does hereby adopt the budget for the fiscal year June 1, 2010 through May 31, 2011.

**CITY OF NATCHITOCHES 2010 - 2011 FY**

General Fund	\$ 13,163,776
Proprietary Fund (Utility)	\$ 39,899,271
Special and Capital Project Funds	\$ 15,873,576

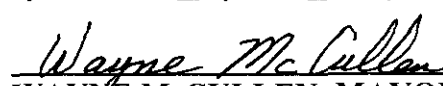
**BE IT FURTHER ORDAINED**, in accordance with L.R.S. 39:1305, the following specifies the Mayor's authority to make budgetary amendments without approval of the governing authority, as well as those powers reserved solely to the governing authority:

The Home Rule Charter of the City of Natchitoches states in part "... at any time during the fiscal year the mayor may transfer part or all of any unencumbered appropriation balance among programs within a department, office, or agency. Upon written request by the Mayor, the Council may by ordinance transfer part or all of any unencumbered appropriation balance from one department, office, or agency to another..." (Section 5.05 D) Supplemental, emergency, and reductions of appropriations must be submitted to the Council for approval by Ordinance. (Section 5.05 A-C).

The above Ordinance having been duly advertised in accordance with law and a public hearing had on same, was put to a vote by the Mayor and the vote was recorded as follows:

<b>AYES:</b>	<b>Payne, McCain, Morrow, Nielsen, Mims</b>
<b>NAYS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>

**THEREUPON**, the Mayor declared the Ordinance **PASSED** this 26<sup>th</sup> day of April, 2010 by a vote of 5 ayes to 0 nays.

  
WAYNE McCULLEN, MAYOR

  
DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 27<sup>th</sup> day of April, 2010 at 10:00 A.M.

Ms. Morrow addressed a matter she has spoken with Mr. Pat Jones, Finance Director, about, asking if the City could maybe transfer funds some way to allow some after school programs. She said we have a problem in the City of Natchitoches with students not being able to go to afterschool programs.

Mr. Tony (inaudible), addressed the Council about the time of the Public Meeting regarding the budget, noting that it was set for 4:00 p.m., and generally, people work until 5:00. He asked that any Public Meetings in the future be set at a time more conducive for the working public to be able to attend.

Mr. Pat Jones presented the Finance Report, a copy of which is attached.

**CITY OF NATCHITOCHES**  
**GENERAL FUND BUDGET REPORT**  
**AS OF MARCH 2010**

		CURRENT MONTH			YEAR TO DATE			
TOTAL		MONTHLY	(OVER)		YTD	ENCUM-	UNREALIZED	PERCENT
BUDGET		BUDGET *1	UNDER		ACTUAL	BRANCES	AVAILABLE	RECEIVED/
09/10 FY			BUDGET				BALANCE	EXPENSED
12,889,201	REVENUE	1,074,100	1,738,132	664,031.88	10,053,874		2,835,327	78.00%
	EXPENDITURES							
	DEPARTMENT:							
516,744	CITY HALL / FINANCE	43,062	35,486	7,576.42	378,192	886	137,666	73.36%
525,612	COMMUNITY DEVELOPMENT	43,801	51,031	(7,229.81)	417,329	(3,080)	111,363	78.81%
175,606	PLANNING & ZONING	14,634	18,079	(3,445.07)	142,260	389	32,957	81.23%
2,404,358	FIRE DEPARTMENT	200,363	221,376	(21,013.08)	1,957,413	819	446,126	81.45%
3,860,834	POLICE DEPARTMENT	321,736	292,052	29,684.45	2,918,691	6,150	935,992	75.76%
131,382	ANIMAL SHELTER	10,949	11,958	(1,009.71)	105,034	603	25,745	80.40%
328,683	PURCHASING	27,390	21,522	5,868.09	209,333	29	119,321	63.70%
203,372	CITY GARAGE	16,948	17,370	(422.09)	141,212	193	61,967	69.53%
886,447	RECREATION *2	73,871	86,121	(12,250.34)	754,648	34,919	96,880	89.07%
1,454,994	PUBLIC WORKS	121,250	108,808	12,441.99	1,136,279	19,276	299,439	79.42%
2,191,385	INDIRECT EXPENSE	182,615	153,841	28,774.11	1,580,445	1,414	609,526	72.19%
209,784	PROGRAMMING & PROMOTIONS	17,482	19,592	(2,109.93)	145,568	3,982	60,233	71.29%
12,889,201	TOTAL GENERAL FUND	1,074,100	1,037,235	36,865.02	9,886,404	65,581	2,937,216	77.21%

**FOOTNOTES:**

\*1 - 1/12th OF TOTAL BUDGET

\*2 - SEASONAL ACTIVITY

% BUDGET YEAR ELAPSED 83%

% BUDGET EXPENDED 77%



**CITY OF NATCHITOCHES**  
**UTILITY (PROPRIETARY) FUND BUDGET REPORT**  
**AS OF MARCH 31, 2010**

<u>CURRENT MONTH</u>				<u>YEAR TO DATE</u>			
TOTAL		(OVER)					
BUDGET	MONTHLY	UNDER	YTD	ENCUM-	UNREALIZED /	PERCENT	
09/10 FY	BUDGET *1	BUDGET	ACTUAL	BRANCES	AVAILABLE	RECEIVED/	
					BALANCE	EXPENSED	
<b>REVENUE</b>	39,420,101	3,285,008	2,439,413	(845,595.86)	24,124,228	15,295,873	61.20%
<b>EXPENDITURES</b>							
DEPARTMENT:							
UTILITY ADMINISTRATION	335,116	27,926	19,971	7,955.71	206,188	1,594	127,334
WATER	1,667,740	138,978	123,357	15,620.91	1,332,799	18,440	316,501
SEWER	1,461,365	121,780	122,476	(695.87)	1,026,710	4,570	430,085
ELECTRIC	26,402,751	2,200,229	1,648,864	551,365.55	14,719,805	1,194,810	10,488,135
UTILITY BILLING	963,229	80,269	89,501	(9,231.71)	824,142	27,402	111,685
INDIRECT	8,589,900	715,825	901,148	(185,323.00)	7,022,729	28,440	1,538,731
TOTAL UTILITY FUND	39,420,101	3,285,008	2,905,317	379,691.60	25,132,372	1,275,257	13,012,471
							66.99%

FOOTNOTES:

\*1 - 1/12th OF TOTAL BUDGET

% BUDGET YEAR ELAPSED

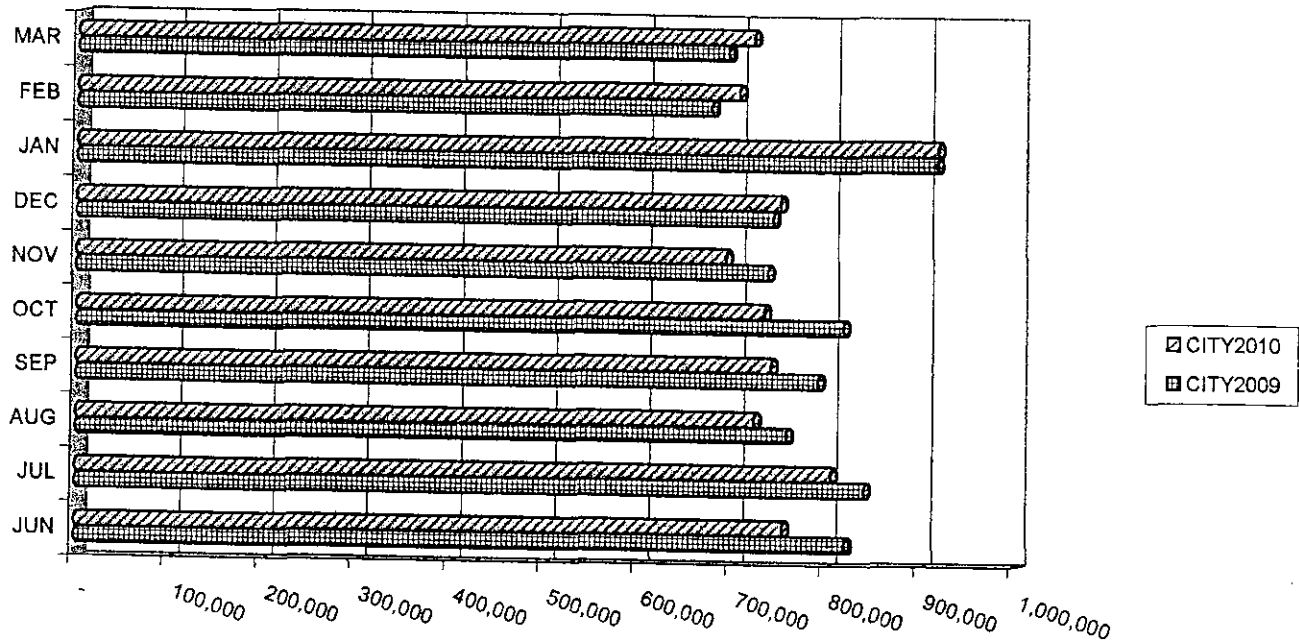
83%

% BUDGET EXPENDED

67%

# CITY OF NATCHITOCHEs

## FISCAL YEAR SALES TAX COLLECTIONS

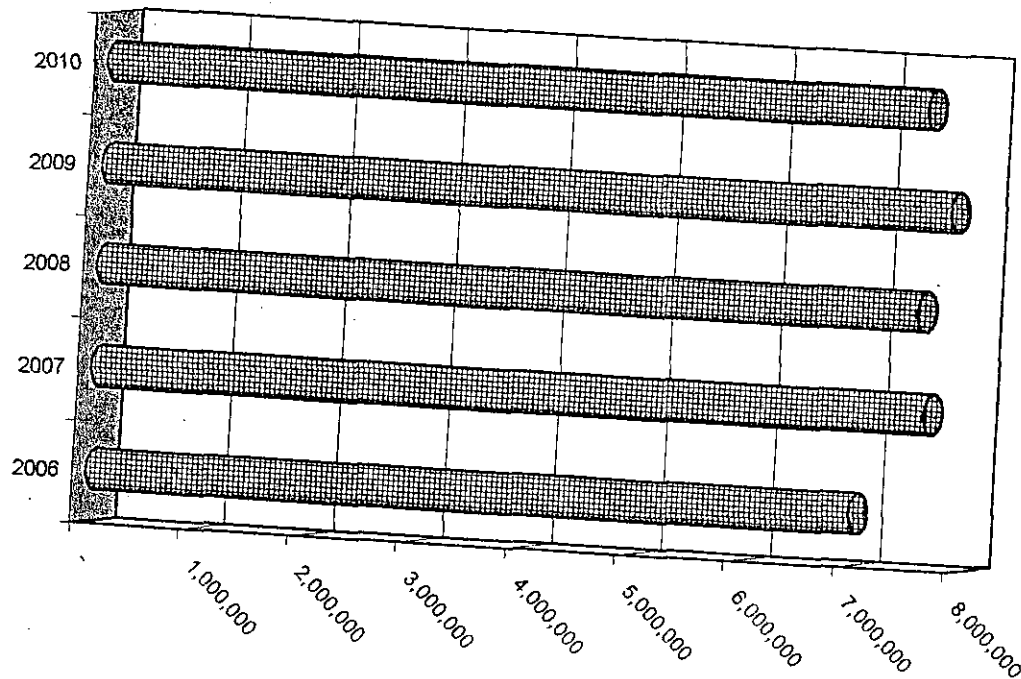


### REVENUE BY MONTHS

PERIOD	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	DIFF 09/10	DIFF %
JUN	606,929	683,469	693,346	821,444	754,700	(66,744)	-8.13%
JUL	766,375	1,014,779	839,047	841,099	805,871	(35,228)	-4.19%
AUG	616,094	682,175	690,531	758,211	723,797	(34,414)	-4.54%
SEP	648,089	737,227	739,716	791,864	741,017	(50,847)	-6.42%
OCT	785,709	749,522	769,740	818,505	733,485	(85,020)	-10.39%
NOV	731,891	732,259	772,952	736,909	692,841	(44,068)	-5.98%
DEC	606,954	701,276	749,136	743,169	750,875	7,706	1.04%
JAN	1,011,252	938,584	923,407	916,623	918,121	1,498	0.16%
FEB	597,204	660,245	652,035	676,895	706,237	29,342	4.33%
MAR	627,574	735,848	714,351	694,582	721,108	26,526	3.82%

# CITY OF NATCHITOCHEs

## FISCAL YEAR SALES TAX COLLECTIONS

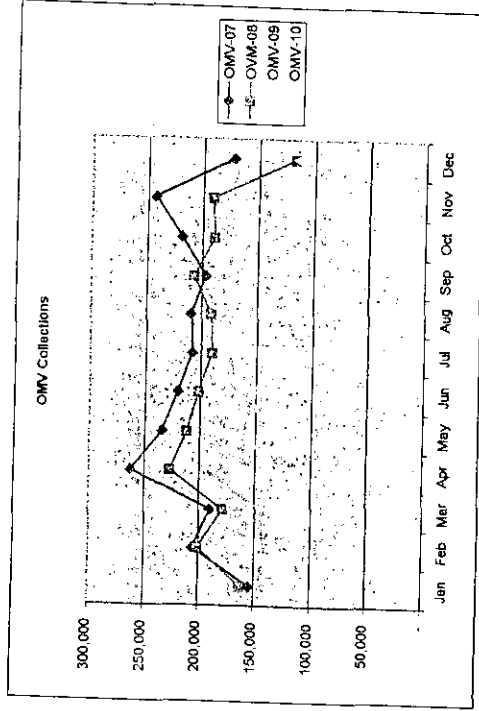


### REVENUE YEAR TO DATE

PERIOD	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	DIFF 09/10	DIFF %
JUN	606,929	683,469	693,346	821,444	754,700	(66,744)	-8.13%
JUL	1,373,304	1,698,248	1,532,393	1,662,543	1,560,571	(101,972)	-6.13%
AUG	1,989,398	2,380,423	2,222,924	2,420,754	2,284,368	(136,386)	-5.63%
SEP	2,637,487	3,117,650	2,962,640	3,212,618	3,025,385	(187,233)	-5.83%
OCT	3,423,196	3,867,172	3,732,380	4,031,123	3,758,870	(272,253)	-6.75%
NOV	4,155,087	4,599,431	4,505,332	4,768,032	4,451,711	(316,321)	-6.63%
DEC	4,762,041	5,300,707	5,254,468	5,511,201	5,202,586	(308,615)	-5.60%
JAN	5,773,293	6,239,291	6,177,875	6,427,824	6,120,707	(307,117)	-4.78%
FEB	6,370,497	6,899,536	6,829,910	7,104,719	6,826,944	(277,775)	-3.91%
MAR	6,998,071	7,635,384	7,544,261	7,799,301	7,548,052	(251,249)	-3.22%

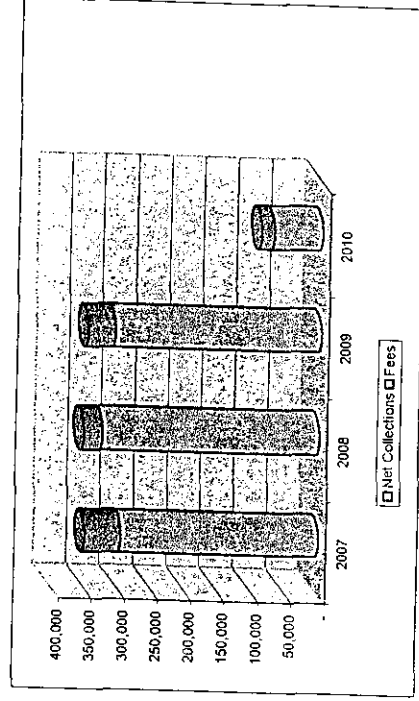
**Natchitoches Tax Commission**  
**LA Department of Motor Vehicles Sales**

Month/ Year	2007	2008	2009	2010	09 vs 10	08 vs 09	07 vs 09
Jan	154,747.09	162,611.98	126,616.65	145,283.06	14.74%	-22.14%	-18.18%
Feb	205,906.12	201,560.45	132,533.23	142,482.09	7.51%	-34.25%	-35.63%
Mar	190,160.24	178,810.91	129,201.16	144,772.00	12.05%	-27.74%	-32.06%
Apr	262,641.45	226,716.98	140,633.11	194,621.00	36.39%	-37.97%	-46.45%
May	234,183.01	211,634.80	155,345.06			-26.60%	-33.87%
Jun	220,371.51	201,978.41	146,560.54			-27.44%	-33.49%
Jul	208,173.72	190,517.62	176,221.17			-7.50%	-15.35%
Aug	209,688.84	191,265.14	162,474.98			-15.05%	-22.52%
Sep	196,815.28	206,981.15	156,865.17			-24.21%	-20.30%
Oct	218,456.00	189,492.42	166,099.20			-12.35%	-23.97%
Nov	243,005.20	190,849.32	137,831.55			-27.78%	-43.28%
Dec	172,759.83	116,838.52	114,865.57			-1.67%	-33.50%
<b>Totals</b>	<b>\$ 2,516,908.29</b>	<b>\$ 2,269,259.70</b>	<b>\$ 1,745,267.39</b>			-23.09%	-30.66%



**Natchitoches Tax Commission**  
**Audit Collections**

Year	2007	2008	2009	2010	09 vs 10	08 vs 09	07 vs 09
Collections	350,773.00	353,910.00	349,768.25	91,332.51	(0.74)	-1.17%	-0.29%
Fees	54,943.00	28,315.00	41,048.17	18,879.32	(0.54)	44.97%	-25.29%
Net Collections	295,830.00	325,595.00	308,720.08	72,453.19	(0.77)	-5.18%	4.36%



The meeting continued with Resolutions, as follows:

The following Resolution was Introduced by Mr. McCain and Seconded by Mr. Mims as follows, to-wit:

**RESOLUTION NO. 030 OF 2010**

**MOTION TO LIMIT OR EXTEND LIMITS OF  
DEBATE AT CITY COUNCIL MEETINGS**

**WHEREAS** pursuant to Sections 1.05 and 1.06 of the Charter of the City of Natchitoches the City may exercise such power and authority not inconsistent with the City Charter or general law; and

**WHEREAS FURTHER**, Section 2.09 of the Charter of the City of Natchitoches provides for Council meetings and rules, and pursuant to Subsection C, the City Council is authorized to determine its own rules and order of business; and

**WHEREAS FURTHER**, Revised Statute 42:5 (D) provides that when a public meeting is held, the public body “. . . shall provide an opportunity for public comment at such meeting, subject to reasonable rules, regulations, and restrictions as adopted by the public body.”; and

**WHEREAS FURTHER**, the City has the right, power and authority to promote, protect and preserve the general welfare, safety, health, peace and good order of the City; and

**WHEREAS FURTHER**, the City of Natchitoches embraces human diversity and the City Council of the City of Natchitoches is committed to ensuring that the principles of fair and equal treatment in all respect are understood, respected, and practiced throughout City government; and

**WHEREAS FURTHER**, the City of Natchitoches is committed to complying with all applicable national, state laws and rules of order; and

**WHEREAS FURTHER**, the City Council of the City of Natchitoches desires to adopt reasonable rules for the conduct of an orderly City Council meeting, attempting to provide the opportunity for as many people to comment or participate as possible balanced with reasonable time restraints; and

**WHEREAS FURTHER**, the City Council of the City of Natchitoches does further desire to adopt *Robert's Rules of Order*, in order to provide for a set of rules and regulations for the conduct of City Council meeting; and

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Natchitoches in due, legal and regular session convened, that in order to efficiently conduct necessary business brought before Council the number of speakers, proponents and opponents, of a particular issue are limited to three each and limited to ten minutes each.

**BE IT FURTHER RESOLVED** that the City Council of the City of Natchitoches does hereby adopt *Robert's Rules of Order* as the procedural guide for the conduct of City Council meetings and Mayor Wayne McCullen is hereby directed to enforce *Robert's Rules of Order* to bring the meeting into compliance.

**BE IT FURTHER RESOLVED** that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Resolution which can be given effect without the invalid provisions, items or application, and to this end, the provisions of this resolution are hereby declared severable.

This Resolution was presented at a Meeting of the City Council on April 26, 2010.

This Resolution was then presented for a vote, and the vote was recorded as follows:

<b>AYES:</b>	<b>McCain, Mims, Nielsen</b>
<b>NAYS:</b>	<b>Morrow, Payne</b>
<b>ABSENT:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>

**THEREUPON**, the Mayor, Wayne McCullen, declared the Resolution passed by a vote of 3 ayes to 2 nays, this the 26<sup>th</sup> day of April, 2010.

  
\_\_\_\_\_  
**WAYNE McCULLEN, MAYOR**

Mr. McCain addressed Resolution 30 by saying that, in the past, this Council governed this City with, he thinks, some degree of dignity at the meetings, but lately, some of the meetings are more like a sideshow. He said he resents the fact that we've lost control of the meetings the way we have. He said he believes this resolution does not deny anybody free speech, but just establishes the fact that each side of an issue gets three people to speak, and each person gets ten minutes. He said he believes if we condense the length of time of the meetings, we can take some of this sideshow atmosphere away and be more professional.

Ms. Morrow responded to Mr. McCain's comments by saying that this is a government of the people, governed by the Natchitoches Home Rule Charter, and we do have freedom of speech in America. She then addressed the Mayor, members of the Council, and all those in attendance, saying the Charter, when established, was charged with the responsibility of providing a type of government that would be representative of the people. She said she believes Resolution 30 was devised to take away the citizens' first amendment rights, and when the powers to be don't want all of the citizens to participate in the process of a government designed in their interest and set a time with three, that's not in accordance with Roberts Rules of Order. She said it is in her opinion that certain people want to be in control and they don't want people to speak, and she feels this resolution was designed to cause discord. She stated that, as the official representative of a district, and also, people all over this City, she has the right to voice her opinion and views, and so do other citizens. She noted that there have been groups in the past from Ragan Street, and from St. Maurice Lane that addressed the Council, and they numbered between 20 and 25 people, with many speaking on both sides. She also noted that members of the Historic District often address the Council, and they are highly respected. She then addressed the meeting of March 29<sup>th</sup> in which the room was filled with citizens from another ethnic background, and they were never recognized, with a move being made to close the meeting. She stated that she reminded the Mayor that the citizens had not been recognized even though they were on the Agenda as concerned citizens. She said fairness is not being exhibited to everybody, and that Roberts Rules of Order states that all members are to be treated equal.

Mr. Tommy Ward reiterated some of what Ms. Morrow said, stating that they are only looking for equality and fairness. He said he felt like the Mayor violated him when he said he only had one minute to speak, and he has researched Roberts Rules of Order, read the Home Rule Charter, and read Resolution 30, and it's a violation against Roberts Rules of Order. He said that Roberts Rules of Order states that every person on the floor gets to be recognized and have a right to speak. He said he just wants equality and fairness in our city.

Mr. Payne noted that he has been on the Council for about 22 months, and it's a pretty tough job. He said you try to do what you think is right, and not



everybody agrees with what you're doing, but you're trying to solve some problems. He said one thing that stuck out when he read this resolution was the number of people because there weren't six people that voted him into office; he had a lot of help getting here. He said we need to be solving problems, not creating problems, and to support this would be creating a problem for every citizen in this town. He said he knows the meetings can go on forever, but if at the end, we have come to results that mean something to the people that are here, then we've done what we've been paid to do.

Ms. Morrow asked, following the vote, how this resolution could pass when it's not in line with Roberts Rules of Order and how a Councilmember at Large could sit here and pass something wrong.

Mr. Nielsen said he is a little uncomfortable limiting the number of people that can speak per side, however, after the last 30 days, he thinks it is apparent that we have to regain order in this room, and he is willing to try putting it in place to regain a professional meeting as intended, and we can always go back and amend.

Resolutions continued, as follows:

The following Resolution was Introduced by Ms. Morrow and Seconded by Mr. Payne as follows, to-wit:

**RESOLUTION NO. 031 OF 2010**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE  
CHANGE ORDER NO. 1 TO THE BID FOR IMPROVEMENTS TO  
THE BEN JOHNSON PARK, PHASE II, BASKETBALL COURTS**

**(BID NO. 0490)**

**WHEREAS**, the CITY awarded a contract to RDS Construction, LLC (CONTRACTOR) by Ordinance No. 073 of 2009 on October 27, 2009 in the base bid amount of \$49,600.00 for the improvements to the Ben Johnson Park, Phase II, Basketball Courts (Bid No. 0490); and,

**WHEREAS**, the Engineer, Norman Nassif of Nassif Engineering & Architecture, LLC, has recommended Change Order No. 1 dated April 9, 2010 reflecting an increase of 55 days to the contract time, as itemized in attached Change Order No. 1 (Final); and

**WHEREAS**, Nassif Engineering & Architecture, LLC, project Engineer, recommends approval of Change Order No. 1; and

**WHEREAS**, the City is of the opinion that Change Order No. 1 is in the best interest of the City.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Natchitoches, in legal session convened, that the Honorable Wayne McCullen, Mayor, be and is hereby authorized, empowered and directed to execute the referenced Change Order No. 1 to the agreement between the City and the Contractor.

This Resolution was then presented for a vote, and the vote was recorded as follows:

<b>AYES:</b>	<b>Morrow, Payne, Nielsen, Mims, McCain</b>
<b>NAYS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>

**THEREUPON**, the Mayor, Wayne McCullen, declared the Resolution passed by a vote of 5 ayes to 0 nays, this the 26<sup>th</sup> day of April, 2010.

  
WAYNE McCULLEN, MAYOR

The following Resolution was Introduced by Ms. Morrow and Seconded by Mr. Nielsen as follows, to-wit:

**RESOLUTION NO. 032 OF 2010**

**A RESOLUTION AUTHORIZING THE EXECUTION OF THE  
CERTIFICATE OF SUBSTANTIAL COMPLETION FOR THE IMPROVEMENTS  
TO THE BEN JOHNSON PARK, PHASE II, BASKETBALL COURTS**

**(BID NO. 0490)**

**WHEREAS**, the City of Natchitoches awarded the contract for the improvements to the Ben Johnson Park, Phase II, Basketball Courts (Bid No. 0490) to the low bidder, RDS Construction, LLC by Ordinance No. 073 on October 27, 2009 in the amount of \$49,600.00; and

**WHEREAS**, Change Order No. 1 dated April 9, 2010 was approved by Resolution No. 031 of 2010 by adding 55 additional days to the contract, at no additional cost;

**WHEREAS**, it is the opinion of Norman Nassif of Nassif Engineering & Architecture, LLC, that the work required by the Contract is found to be substantially completed in general conformity with the project plans and specifications as shown by his signature on the Certificate of Substantial Completion dated April 9, 2010.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Natchitoches, in legal session convened:

SECTION 1: That the Honorable Wayne McCullen, Mayor, be and is hereby authorized, empowered and directed to accept the work performed by Contractor in association with the said project and to execute the Certificate of Substantial Completion therewith when presented and approved by the Engineer; and

SECTION 2: That the Honorable Wayne McCullen, Mayor, be and is hereby authorized, empowered and directed to issue final payment to the Contractor upon receipt of the Clear Lien Certificate issued by the Natchitoches Parish Clerk of Court, and upon the recommendation of the Engineer to issue said final payment.

**NOW, THEREFORE, BE IT RESOLVED**, that the Natchitoches City Council does hereby authorize the Mayor to execute the Certificate of Substantial Completion for the improvements to the Ben Johnson Park, Phase II, Basketball Courts (City Bid No. 0490) and upon presentation and approval by the Engineer, Nassif Engineering & Architecture, LLC.

This Resolution was then presented for a vote, and the vote was recorded as follows:

<b>AYES:</b>	<b>Morrow, Nielsen, Mims, McCain, Payne</b>
<b>NAYS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>

**THEREUPON**, the Mayor, Wayne McCullen, declared the Resolution passed by a vote of 5 ayes to 0 nays, this the 26<sup>th</sup> day of April, 2010.

  
WAYNE McCULLEN, MAYOR

The following Resolution was Introduced by Mr. Nielsen and Seconded by Mr. McCain as follows, to-wit:

**RESOLUTON NO. 034 OF 2010**

**A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF NATCHITOCHES, WAYNE MCCULLEN, TO SOLICIT REQUESTS FOR PROPOSALS FOR THE SALE OF GENERATION EQUIPMENT LOCATED AT THE CITY OF NATCHITOCHES POWER PLANT, AND FURTHER TO NEGOTIATE WITH THE SUCCESSFUL RESPONDENT FOR THE SALE OF THE GENERATION EQUIPMENT, AND DECLARING THE PROPERTY AS SURPLUS PROPERTY**

**WHEREAS**, the CITY OF NATCHITOCHES (sometimes hereinafter "City") is the owner of a certain Generation Equipment located at the City of Natchitoches Power Plant, which said Generation Equipment commonly referred to as Unit No. 2, 3, 4, 5, 6, 7, 9 and 10.

**WHEREAS FURTHER**, Generation Equipment is currently inoperable, and based on the advice of third party consultant firms, the Director of Utilities of the City has recommended that the City not expend any additional funds to rehabilitate Generation Equipment; and

**WHEREAS FURTHER**, Generation Equipment has resale value, and the City Council for the City of Natchitoches is of the opinion that Generation Equipment should be offered for sale; and

**WHEREAS FURTHER**, the above described Generation Equipment is currently inoperable and of no further use to the City, and the City Council of the City of Natchitoches has determined that the above Generation Equipment is not needed for any public purpose, and desires to authorize and direct the Mayor of the City of Natchitoches, Wayne McCullen, to request proposals for the purchase of disposal Generation Equipment Unit Nos. 2, 3, 4, 5, 6, 7, 9, and 10.

**NOW THEREFORE BE IT FURTHER RESOLVED** by the City Council of the City Of Natchitoches, that the declaration that Generation Equipment located at the City Of Natchitoches Power Plant is declared surplus property and not needed for public purpose.

**NOW THEREFORE BE IT FURTHER RESOLVED** by the City Council of the City of Natchitoches that Mayor, Wayne McCullen, is authorized to review proposals received by the City and select a successful proposal for submission to the City Council of the City of Natchitoches for Final approval.

This Resolution having been submitted on a roll call vote, the vote thereupon was as follows, to-wit

<b>AYES:</b>	<b>Nielsen, McCain, Morrow, Payne, Mims</b>
<b>NAYS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>

Thereupon, the Mayor declared the Resolution passed by a vote 5 ayes to 0 nays, on this the 26<sup>th</sup> day of April, 2010.

  
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**WAYNE MCCULLEN, MAYOR**

Mr. Tommy Ward voiced concerns about the power plant being shut down. He said he believes we got some stimulus money in the amount of \$5,000,000.00 for the power plant, and also, spent \$300,000.00 on a pump truck for the power plant, and wants to know why it is shut down. Mr. Bryan Wimberly, Director of Utilities, addressed Mr. Ward's questions. He outlined the age of the various units at the power plant, and the expense of maintenance and repairs, as well as the fact that parts are no longer available for the diesel engines. He noted that in 2009, they asked for permission to go out for repair of the tubes in the #10 unit, and the bids came in at \$800,000.00 just to repair partial tubes in the #10 boiler only. Also, in 2009, he noted that the #8 unit was declared surplus because it was just not economically feasible to spend the money to replace that boiler for the output it could yield. He advised that there is no money in this coming budget to fix any of the units. He also noted that EPA and Louisiana DEQ requirements make no separation in what we have to do, environmentally, and what other plants have to do and because we can no longer meet our emission standards, we cannot run that power plant without being subject to a tremendous fine that would bankrupt the City of Natchitoches. He further advised that we have been mandated by EPA that PCB transformers associated with the #10 unit have to be removed, and we are in the process of completing that removal which has a cost associated with it, but a much greater cost would be the replacement in today's market of those four critical transformers that are absolutely necessary to make that unit run. He said it would be tremendously expensive to run the power plant, and we are, at every opportunity, trying to hold down the expenses and the electric rate. He said the decision to move forward is because we are at the threshold, in the beginning of 2011, of having to refile permits with EPA and DEQ and we will have to go and reapply as if we are a fully-operating power plant and incur all the costs therein. He then addressed Mr. Ward's question about the \$5,000,000.00, saying that, yes, the City of Natchitoches did borrow \$5,000,000.00 but that is not for the power plant, but for the rehab of Water Treatment Plant #1. He said the purpose is to increase the capacity of the plant because of the growing need for the City of Natchitoches, at certain times of the year, especially in the summertime. He then advised that the vacuum truck Mr. Ward referred to is going to be used, not in the power plant, but is going to be used in the maintenance of the sewer system. He said that was a grant applied for by us as part of the economic stimulus, and that truck is being bought for the City of Natchitoches by the federal government by the way of a 100 percent grant. He said the way we were able to get this grant was that we were able to convince Natchitoches that owning a truck like this offsets some of the operational costs we have in trying to maintain our system, and we could do a better job of protecting the environment.

Mr. Ward said that answered all of his questions.

Ms. Morrow asked where the funding will go from the sale of the equipment. The Mayor responded that no one is even interested in taking the equipment

at this point, so no decisions have been made at all. She said in order to vote on this, she wanted to know what was intended to be done with the funding when it does come in. (Response inaudible).

The Mayor asked if there was any further business to be brought before the Council.

There being none, Mr. Nielsen made a motion to adjourn the meeting, Mr. Payne seconded the motion, and the meeting was adjourned at 9:10 p.m.

  
**MAYOR WAYNE McCULLEN**

  
**MAYOR PRO TEMPORE**